

THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

---

JACK ROGERS and PAUL PINELLA, )  
Plaintiffs, )  
v. ) CIVIL ACTION NO.:  
COMCAST CORPORATION and ) 04-10142-EFH  
AT&T BROADBAND, )  
Defendants. )  
\_\_\_\_\_  
)

**AFFIDAVIT OF JAMES T. CAIN**

I, James T. Cain, certify that:

1. I am an associate in the law firm of Kasowitz, Benson, Torres & Friedman LLP (“Kasowitz”), in Kasowitz’s New York office, 1633 Broadway, New York, NY 10019;
2. I have been admitted to practice and remain in good standing in the following courts: all New York state courts, United States District Courts for the Southern and Eastern Districts, and the United States Court of Appeals for the Second Circuit.
3. I am also in good standing and there are no disciplinary proceedings pending against me as a member of the Bar in any jurisdiction in which I am admitted; and

4. I am familiar with the rules and practice before the Superior Court for the Commonwealth of Massachusetts.



James T. Cain  
Kasowitz, Benson, Torres & Friedman LLP  
1633 Broadway  
New York, NY 10019  
(212) 506-1700  
Fax: (212) 506-1800

Dated: May 17, 2006

Sworn to me and subscribed

before me this 22 day  
of May, 2006.



Notary Public

My Commission Expires:

CORINNE COLUCCIO  
Notary Public, State of New York  
No. 01CO6134060  
Qualified in New York County  
Sept. 26, 2009